

**ORIGINAL**

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

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Federal Communications Commission  
Office of Secretary

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In the Matter of

Ameritech Petition  
for Forbearance From Application  
of Section 272 of the Act to  
Previously Authorized Services

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CC Docket No. 96-149

**REPLY COMMENTS OF AMERITECH**

Ameritech<sup>1</sup> submits this reply to comments filed with respect to its petition for forbearance from the application of §272 of the Telecommunications Act of 1996 to Ameritech's provision of 911 service and Telecommunications Relay Service ("TRS") with certain interLATA components. Ameritech's petition was supported by Southwestern Bell Telephone Company ("SWBT"). The petition was opposed, at least in part, by AT&T and MCI. AT&T's petition deals both with 911 service and TRS. MCI's petition apparently only deals with 911 service.

Both AT&T and MCI argue that granting the petition should not relieve Ameritech from the nondiscrimination requirements of §272. In particular, AT&T discusses access by competitive providers to "essential unlisted and third-party-LEC number information."<sup>2</sup> MCI talks of the necessity of access "to the

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<sup>1</sup> Ameritech means: Illinois Bell Telephone Company, Indiana Bell Telephone Company, Incorporated, Michigan Bell Telephone Company, The Ohio Bell Telephone Company, and Wisconsin Bell, Inc.

<sup>2</sup> AT&T at note 3.

emergency numbers contained in the BOCs' (as well as other incumbent local exchange carriers') E911 databases. . . as well as the ability to upload MCI's customer records into E911 databases for the purposes of delivering 911 calls."<sup>3</sup> MCI analogizes such a requirement to access to unbundled elements required under §251(c)(3) and notes, as well, that nondiscriminatory access to 911 service is a long distance "checklist" item under §271(c)(2)(B)(vii)(I).<sup>4</sup>

These issues discussed by AT&T and MCI relate to the provision of E911 service generally and are not unique to E911 service provided with an interLATA component. It is reasonable to assume that the vast majority of BOCs' and other ILECs' E911 service applications involve solely intraLATA connections. Thus, the requirements of BOCs and other ILECs with respect to both competitive providers of 911 services and competitive local exchange carriers ("CLECs") should reasonably be determined outside the context of §272. In other words, while it makes sense to permit a BOC to provide these services, with certain interLATA linkages, on an unseparated basis, it does not make sense to apply a set of nondiscrimination requirements that are separate from those that would otherwise exist in connection with the BOC's intraLATA provision of these services.

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<sup>3</sup> MCI at 4-5.

<sup>4</sup> *Id.* at 5-6.

The issues raised by AT&T and MCI are clearly not unique to the provision of 911 service with an interLATA component. Thus, if forbearance from the separate subsidiary requirement of §272 is granted, it would make no sense to condition that permission on the application of nondiscrimination requirements that are peculiarly applicable to the separate §272 interLATA affiliate in the first instance.<sup>5</sup>

With respect to TRS, AT&T further complains that Ameritech offers no support for its claim that transferring the “interLATA” service<sup>6</sup> to the affiliate could cause significant disruption and cost increases.<sup>7</sup> It is clear that transferring the activity to the separate affiliate would require the affiliate to purchase new equipment and hire its own personnel to provide this service. With the Ameritech Operating Companies’ retaining calls from parties in the same LATA as the TRS center, the other TRS calls would involve a whole new set of incremental costs. This, of course, would drive up the rates for the service overall. The §272 affiliate would have to provide the service without relying on the Ameritech Operating Companies’ “infrastructure,” thus depriving “interLATA” TRS service of the

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<sup>5</sup> AT&T (at note 5) insists that RBOCs should continue to be subject to CI-III requirements for E911 service, including the joint cost rules. However, ever since 1982, the BOCs have been operating under specific permission by the Commission to provide E911 service and related CPE on a nonseparated, regulated basis. (See, December 30, 1982, letter from Gary M. Epstein, Chief, Common Carrier Bureau, to Alfred A. Green, Esq., AT&T, reference number 61210).


<sup>6</sup> This would cover only those calls in which the calling party is in a LATA different from the TRS operator center and include the interLATA connection to the center. The link between the calling and called parties would still be handled by the calling party’s selected IXC.

<sup>7</sup> AT&T at 3.

economies that exist because it can now be provided jointly with "intraLATA" TRS. It is quite simply in the public interest that the service be capable of being provided at the lowest cost possible. Permitting BOCs to continue to provide "interLATA" TRS on an unseparated basis will further that goal.

In light of the forgoing, Ameritech's petition for forbearance should be granted.

Respectfully submitted,

  
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Dated: June 16, 1997

**CERTIFICATE OF SERVICE**

I, Todd H. Bond, do hereby certify that a copy of the foregoing Reply Comments of Ameritech has been served on the parties listed below, via first class mail, postage prepaid, on this 16th day of June, 1997.

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